



PTO/SB/21 (09-04)

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JFW**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/718,754	
	Filing Date	11/22/2000	
	First Named Inventor	Kathryn K. Lappegard	
	Art Unit	1638	
	Examiner Name	Baum, Stuart F.	
Total Number of Pages in This Submission	8	Attorney Docket Number	1189EE

**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input checked="" type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) ____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1) Filing of a Supplemental IDS and Certification 2) European Search Report 3) References (Cites A7-A14)
<b>Remarks</b>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm	Pioneer Hi-Bred International, Inc.		
Signature			
Printed Name	Kathryn K. Lappegard		
Date	April 18, 2005	Reg. No.	46,857

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Typed or printed name	Kathryn K. Lappegard	Date	April 18, 2005

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application. No. : 09/718,754 Confirmation No. 3443  
Applicant : Kathryn K. Lappegard  
Filed : 11/22/2000  
TC/A.U. : 1638  
Examiner : Baum, Stuart F.  
Docket No. : 1189EE  
Customer No. : 27310  
Title : Seed-Preferred Regulatory Elements and Uses Thereof

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**FILING OF A SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR §1.97(c),  
AND CERTIFICATION UNDER 37 CFR §1.97(e)(1) OR (e)(2)**

Information Disclosure Statement. The attached list of citations on PTO Form 1449 is being submitted under the provisions of 37 CFR §1.56 and §1.97 in order to comply with the duty of disclosure. Their inclusion herein should not, however, be construed as an admission that any particular cited reference is effective prior art or that it discloses or renders obvious any aspect of the claimed invention. Copies of each are enclosed, except for those references already part of the filewrapper. This statement is being filed with the required certification and without any fee, in accordance with the provisions of 37 CF. §1.97(c), before the mailing date of a final office action under §1.113, before the mailing date of a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application.

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(b) that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in §1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,



Kathryn K. Lappegard  
Agent for Applicant(s)  
Registration No. 46,857

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 2

**Complete if Known**

Application Number	09/718,754
Filing Date	11/22/2000
First Named Inventor	Kathryn K. Lappegard
Art Unit	1638
Examiner Name	Baum, Stuart F.
Attorney Docket Number	1189EE

**U.S. PATENT DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
		US-			
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**FOREIGN PATENT DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				
	A7	WO 98/37184 A1	08/27/1998	The Regents of the University of California		
	A8	WO 99/67405 A2	12/29/1999	The Regents of the University of California		

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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)		<b>Complete if Known</b>	
		Application Number	09/718,754
		Filing Date	11/22/2000
		First Named Inventor	Kathryn K. Lappegard
		Art Unit	1638
		Examiner Name	Baum, Stuart F.
Sheet 2 of 2	Attorney Docket Number	1189EE	

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	A9	IIDA et al., Positive and negative cis-regulatory regions in the soybean glycinin promoter identified by quantitative transient gene expression, Plant Cell Reports (1995) 14:539-544.	
	A10	LEE et al., Jasmonate signalling can be uncoupled from abscisic acid signaling in barley: identification of jasmonate-regulated transcripts which are not induced by abscisic acid, Planta (1996) 625-632.	
	A11	LOTAN et al., Arabidopsis LEAFY COTYLEDON1 Is Sufficient to Induce Embryo Development in Vegetative Cells, Cell (1998) 93:1195-1205.	
	A12	SMITH et al., Temporal and spatial regulation of a novel gene in barley embryos, Plant Molecular Biology (1992) 20:255-266.	
	A13	SUNDARESAN et al., Patterns of gene action in plant development revealed by enhancer trap and gene trap transposable elements, Genes & Development (1995) 9:1797-1810.	
	A14	WALBOT, V., 683006D10.x1 683 - 14 day immature embryo from Hake lab (HS) Zea mays cDNA mRNA sequence, Database Accession No. AW066683 (1999).	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Kathryn K. Lappegard  
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46,857  
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- 2) Filing of a Supplemental IDS and Certification /2 Pages (1 copy)
- 3) European Search Report /3 Pages (1 copy)
- 4) IDS by Applicant (1449) /2 Pages (1 copy)
- 5) IDS References (Cite A7-14) (1 copy each)

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